

PLANNING COMMISSION AGENDA
CITY OF NEWPORT BEACH
COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD
Thursday, August 4, 2011
Regular Meeting – 4:00 p.m.

CHARLES UNSWORTH
Chair

MICHAEL TOERGE
Vice Chair

BRADLEY HILLGREN
Secretary

ROBERT HAWKINS

FRED AMERI

KORY KRAMER

JAY MYERS

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

KIMBERLY BRANDT, Community Development Director

JAMES CAMPBELL, Principal Planner

LEONIE MULVIHILL, Assistant City Attorney

GREGG RAMIREZ, Senior Planner

TONY BRINE, City Traffic Engineer

MARLENE BURNS, Administrative Assistant

ROSALINH UNG, Associate Planner

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. Staff reports or other written documentation have been prepared for each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200. The agendas, minutes and staff reports are also available on the City's web site at: <http://www.newportbeachca.gov>.

This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or lbrown@newportbeachca.gov).

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

NEWPORT BEACH PLANNING COMMISSION AGENDA
Council Chambers – 3300 Newport Boulevard
Thursday, August 4, 2011
REGULAR MEETING
4:00 p.m.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three minutes. Before speaking, please state your name for the record and print your name on the tablet provided at the podium.

- E. REQUEST FOR CONTINUANCES**
- F. CONSENT ITEMS**

ITEM NO. 1 Minutes of July 21, 2011

ACTION: Approve and file.

- G. PUBLIC HEARING ITEMS**

ALL TESTIMONY GIVEN BEFORE THE PLANNING COMMISSION IS RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS. (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.) Please print only your name on the pad that is provided at the podium.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours.

ITEM NO. 2 Newport Beach Country Club – Golf Realty Fund (PA2005-140)
1600 & 1602 E. Coast Highway

SUMMARY: Golf Realty Fund, the land owner, proposes a Planned Community Development Plan (PCDP) for the redevelopment of the existing private golf course clubhouse, parking lot, and tennis club. Additionally, the PCDP provides for five (5) single-unit residential dwellings “Villas” and 27 short-term lodging units “Bungalows”. The following approvals are requested or required in order to implement the project as proposed:

- A Planned Community Development Plan adoption to provide zoning development standards and design guidelines for the golf course and tennis club and their ancillary uses, pursuant to Chapter 20.63 of the Municipal Code.
- Transfer of Development Rights to transfer 27 hotel units from Anomaly No. 43 (Newport Beach Marriott Hotel and Spa site) to Anomaly No. 46 (the Tennis Club site), pursuant to General Plan Land Use Policies LU4.3 and LU6.14.3.

- A Development Agreement pursuant to Section 15.45.020.A.2.c of the Municipal Code and General Plan Land Use Policy LU6.14.8.
- A Tentative Vesting Tract Map pursuant to Title 19 of the Municipal Code to create separate lots for five (5) single-unit residential dwellings, 27 hotel units, lettered lots for common areas and a private street on the tennis club site.
- A Temporary Structures Use Permit to allow temporary use of structures during construction pursuant to Section 20.60.015 of the Municipal Code.

The application was deemed complete on November 5, 2009, and pursuant to Ordinance No. 2010-21 the application is being considered and evaluated pursuant to the Zoning Code in effect prior to November 25, 2010.

CEQA

COMPLIANCE:

An Initial Study and Mitigated Negative Declaration (MND) have been prepared by Keeton Kreitzer Consulting in compliance with the Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3 (Attachment PC5). The MND indicated that the potential adverse environmental impacts of the project, in terms of Cultural Resources, Geology and Soils, Noise, and Transportation/Traffic could be mitigated to below levels of significance. The Draft MND was circulated for public comment from September 20 to October 19, 2010. Comments were received and the consultant and staff have prepared written responses (Attachment PC6). The mitigation measures, standard conditions, and project design features have been incorporated in the draft MND and Mitigation Monitoring and Reporting Program (MMRP) for the Planning Commission consideration.

ACTION:

- 1) Conduct public hearing; and
- 2) Consider applicant's request and potential alternatives;
- 3) Provide appropriate direction to Planning staff; and
- 4) Continue the application to October 20, 2011.

ITEM NO. 3

Newport Beach Country Club – International Bay Clubs (PA2008-152)
1600 E. Coast Highway

SUMMARY:

The International Bay Clubs, Inc. (IBC) operates the Newport Beach Country Club clubhouse and golf course and leases the property from Golf Realty Fund, the property owner. As a long term lease holder, IBC proposes to redevelop the existing golf clubhouse. The following approvals are requested or required in order to implement the project as proposed:

- A General Plan Amendment to increase the allowable development limit in Anomaly No. 74 in Statistical Area L1 (Newport Center/Fashion Island) of the General Plan Land Use Element by 21,000 gross square feet (from 35,000 square feet to 56,000 square feet).
- A Planned Community Development Plan (PCDP) adoption to provide zoning development standards and design guidelines for the golf course and its ancillary uses, pursuant to Chapter 20.35 of the Municipal Code (Attachment PC1).
- A Development Agreement pursuant to Section 15.45.020.A.2.c of the Municipal Code.
- A Temporary Structure Use Permit to allow the temporary use of structures during the clubhouse reconstruction, pursuant to Section 20.60.015 of the Municipal Code.

CEQA**COMPLIANCE:**

An Initial Study and Mitigated Negative Declaration (MND) have been prepared by Keeton Kreitzer Consulting in compliance with the Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3 (Attachment PC4). The MND indicated that the potential adverse environmental impacts to the project, in terms of Cultural Resources, Geology and Soils, Noise, and Transportation/Traffic could be mitigated to below levels of significance. The MND also includes, as a part of the cumulative analysis, the future foreseeable project to redevelop the Tennis Club site proposed by Golf Realty Fund (GRF). The mitigation measures (MMs) and standard conditions (SCs) have been incorporated in the draft MND and Mitigation Monitoring and Reporting Program (MMRP) for the Planning Commission consideration. The Draft MND was circulated for public comment from October 7, 2010, to November 8, 2010. Comments were received and the consultant and staff have prepared written responses (Attachment PC5). The mitigation measures, standard conditions, and project design features have been incorporated in the draft MND and Mitigation Monitoring and Reporting Program (MMRP) for the Planning Commission consideration.

ACTION:

- 1) Conduct public hearing;
- 2) Consider applicant's request and potential alternatives;
- 3) Provide appropriate direction to Planning staff; and
- 4) Continue the application to October 20, 2011, if applicable.

H. NEW BUSINESS**I. STAFF AND COMMISSIONER ITEMS**

ITEM NO. 4 Community Development Director's report.

ITEM NO. 5 Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

ITEM NO. 6 Request for excused absences.

ADJOURNMENT